TUEBOR

We Will Protect

Vol. 11, Issue 3 A Publication of the Michigan State Police Training Division Summer 2005

The Production and Sharing of Intelligence:

Protecting Your Community from Crime and Terrorism

The Police Executive Research Forum and Office of Community Oriented Policing Services has developed a series of reports on how local law enforcement can best protect their communities from terrorism. The series includes, Volume 1: Local, Federal Partnerships; Volume 2: Working With Diverse Communities; Volume 3: Preparing for and Responding to Bioterrorism.

THE PRODUCTION AND SHARING OF INTELLIGENCE

The most recent addition is, Volume 4: The Production and Sharing of Intelligence. Since the September 11th attack, a new initiative has been underway to improve information gathering and intelligence sharing between federal, state, county, municipal, and tribal agencies. The motive is counter-terrorism, but the uses of intelligence are far broader, including many criminal activities.

Much of the confusion is in regard to the meaning of the term "intelligence."

"National security intelligence" is what typically comes to mind when a person hears the term "intelligence." But police should think in terms of "strategic intelligence," a broader concept that includes the collection of detailed information on the overview of ALL criminal activity, groups, and threats.

Police are typically good at collecting and utilizing "operational or tactical intelligence," which is usually specific to a particular case. Strategic intelligence is what most agencies lack.

When tactical intelligence is combined with strategic intelligence, an overarching plan or context is created, enabling departmental policy planning and resource allocation.

DEFINING WHAT WORKS: INTELLIGENCE-LED POLICING

An illustration is perhaps the best way to show how the intelligence process works. Let's use an intelligence-led policing example that police are very familiar with.

Say a unit commander notices a trend, that a number of repeat offenders are being caught stealing, probably to support their drug addiction. In addition, there's been an increase in drug sales/seizures at a particular location, creating a hot spot in crime.

As there appeared some consensus on the increased criminal activity, a problem profile on the issue was created. The problem profile included a tactical assessment, and a strategic assessment.

Local units supplied tactical information on such issues as amount and type of drug seizures, locations, suspect offenders and crime victims. The collection plan also requested that local police officers interview suspect offenders, and contact other law enforcement professionals in the area for their perspective.

The completed "tactical profile" on drug-related criminality helped develop a broader strategy, prompting a "strategic" response in three areas: further intelligence gathering through informants, targeted enforcement against dealers, and crime prevention by stepping up patrols in certain areas. The intelligence developed also indicated inter-state trafficking, which resulted in interagency enforcement activity on trafficking routes, and DEA assistance.

In this example, reports of crime by drug users, and increased drug sales and seizures in a specific area, would be the information gathered, but when scrutinized and examined against additional information, the intelligence became more revealing.

REQUIREMENT-DRIVEN COLLECTION

The example given on drug enforcement is something police are accustomed to doing. Police need to broaden this application. Intelligence, broadly defined, is vital information about anyone who would do us harm. Unfortunately, information collection related to intelligence is a difficult practice to cultivate through training.

It is largely up to line officers to do the information collecting. Line officers need to understand the channels for collection – as well as the basic principles of analysis. All intelligence work begins at the street level. Intelligence analysts are only as good as the information they receive from the collector.

Before line officers can effectively collect information, they need to know the **"Intelligence Requirements"** that are driving the investigations. Requirements are identified information needs – what we must know to safeguard our communities and the nation.

The "The Production and Sharing of Intelligence" manual has an exten-

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sive template model for intelligence collecting, but agencies should develop additional intelligence requirements to reflect their own needs. Here are some broadly defined information needs:

- Locating and arresting known criminals
- Stopping a criminal enterprise from operating
- Preventing or mitigating crime
- Identifying the social circle of a suspect

  - Who is in the regular business circle of the suspect?

  - Who has access to the suspect for information and observation?

  - What habits, likes, or characteristics of the suspect's social behavior are opportunities for information collection, infiltration, and observation?
- How a criminal enterprise operates

  - Funding sources

  - Communications sources

  - Logistics and supply
- Terror threat assessment

  - Reliability of the information received

  - Group planning attack(s)

  - Target(s)

  - Why is the target a target?

  - Suspected method of attack

  - Weapons of attack

  - Time frame of attack

  - Types of weapons, explosives, or WMD

  - Methods of moving, storing and concealing weapons, contraband and human traffic

  - Special/technical expertise possessed by groups

  - Communications techniques, equipment, network

  - Shell companies; charity/humanitarian sponsors and covers; money-laundering techniques

  - Infiltration or compromise of public and private institutions

"Collection" is the gathering of raw information based on intelligence requirements. Activities such as interviews, technical and physical surveillance, human source operation, searches, and liaison relationships result in the collection of intelligence.

THE INTEL FEEDBACK LOOP

Law enforcement agencies, regardless of size, should adopt the minimum standards of intelligence-led policing – increasing the ability of public safety communities to share information at all levels, laying the foundation for local, state, and national interoperability.

The FBI's model for intelligence production and sharing.

In Michigan, as with other states and the federal government, there is a tremendous amount of information on criminal activity that is generated by the law enforcement community.

In an effort to collect as much of this information as possible, while still being able to analyze, utilize and share this information, the Michigan State Police Intelligence Section implemented the Intelligence Liaison Officer (ILO) program in January 2003. ILO's consist of local, county, state and federal officers.

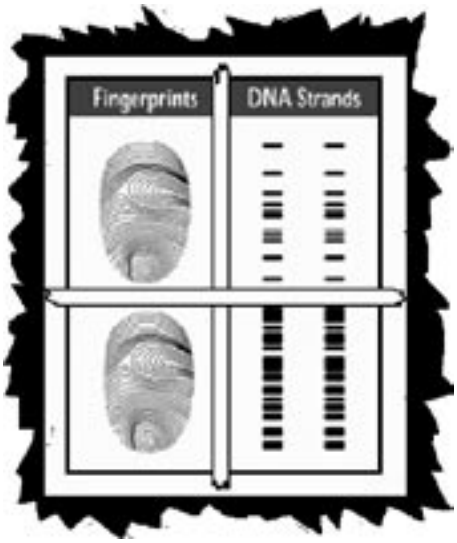
The Intelligence Liaison Officer's role is to act as a direct link between the field and the MSP Intelligence Section by providing information on suspected terrorist activities, extremist groups, hate crimes, crime trends, etc. The Intelligence Section will analyze the information submitted by the ILO's and then provide the law enforcement related information via Weekly Intelligence Briefings and Special Intelligence Briefings, which are sent to over 600 agencies statewide. All police officers are encouraged to report any of the above criminal related activity to the Intelligence Section at 517-336-6627.

Officers that would like to become an Intelligence Liaison Officer should contact D/Sgt. Scott Woodard at the MSP Intelligence Unit at 517-336-6630.

Police can find the entire series on "Protecting Your Community from Terrorism," as well as many other publications, at www.cops.usdoj.gov.

DNA BROKEN WINDOWS

DNA Collection at "Minor" Crime Scenes Yields Major Arrests of More Serious Offenders



Concurring with the "broken windows" strategy that enforcing minor offenses helps uncover more serious crime, the National Institute of Justice is encouraging police to collect DNA at even so-called minor crime scenes, because the results often yields arrests of more serious criminals.

Property crime offenders have high recidivism rates, and their crimes and acts of violence often escalate. It has been estimated that the top ten percent of burglars commit more than 232 burglaries each per year. Police departments are finding that when they collect and analyze DNA from a burglary, they are able to arrest culprits who are also suspects in other cases – often more serious offenses.

According to a Florida State study, 52 percent of database hits against murder and sexual assault cases matched individuals who had prior convictions for burglary.

SOURCES OF DNA EVIDENCE

Biological evidence can often be retrieved from property crime scenes. Burglars often cut themselves on broken glass as they enter a property – and blood is an obvious source of DNA evidence.

"Invisible " DNA evidence can be retrieved from the sweatband inside the suspect's cap that may have fallen off at the scene, or from a cigarette butt or chewing gum the suspect spit out at the scene. In many breaking and enterings, the suspect(s) may have decided to help themselves to a beverage or eat something, thus leaving DNA on a drinking glass or a half-eaten sandwich.

The attached table illustrates the potential sources for collecting DNA evidence.

Evidence	Possible Location of DNA on the Evidence	Source of DNA
baseball bat or similar weapon	handle, end	sweat, skin, blood, tissue
hat, bandanna, or mask	inside	sweat, hair, dandruff
eyeglasses	nose or ear pieces, lens	sweat, skin
facial tissue, cotton swab	surface area	mucus, blood, sweat, semen, ear wax
dirty laundry	surface area	blood, sweat, semen
toothpick	tips	saliva
used cigarette	cigarette butt	saliva
stamp or envelope	licked area	saliva
tape or ligature	inside/outside surface	skin, sweat
bottle, can, or glass	sides, mouthpiece	saliva, sweat
used condom	inside/outside surface	semen, vaginal or rectal cells
blanket, pillow, sheet	surface area	sweat, hair, semen, urine, saliva
"through and through" bullet	outside surface	blood, tissue
bite mark	person's skin or clothing	saliva
fingernail, partial fingernail	scrapings	blood, sweat, tissue

COLLECTING DNA EVIDENCE

To avoid contamination of evidence that may contain DNA, always take the following precautions:

- Wear gloves. Change them often.
- Use disposable instruments or clean them thoroughly before and after handling each sample.
- Avoid touching the area where you believe DNA may exist.
- Avoid talking, sneezing, and coughing over evidence.
- Avoid touching your face, nose, and mouth when collecting and packaging evidence.
- Air-dry evidence thoroughly before packaging.
- Put evidence into new paper bags or envelopes, not into plastic bags. Do not use staples.

TRANSPORTATION AND STORAGE

When transporting and storing evidence that may contain DNA, it is important to keep the evidence dry and at room temperature. Once the evidence has been secured in paper bags or envelopes, it should be sealed, labeled, and transported in a way that ensures proper identification of where it was found and proper chain of custody. Never place evidence that may contain DNA in plastic bags because plastic bags will retain damaging moisture. Direct sunlight and warmer conditions also may be harmful to DNA; so avoid keeping evidence in places that may get hot, such as a room or police car without air conditioning. For long-term storage issues, contact your local laboratory.

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Understanding and Investigating Child Sexual Assault

As investigators, we must understand that child sexual assaults are not just about the actual assaults, but that the behaviors of the suspect ranges over a complex set of phases. Each phase is designed toward the offender's ultimate goal of manipulating the child for sexual deviant purposes. The first three phases are sexually charged for the suspect, the last two phases are concerned with hiding the crime.

1. ENGAGEMENT: Child molesters use a variety of tricks to create the illusion of trust. They look for what's missing in a child's life; they will pretend to fulfill the emotional needs of their intended victim in order to lower their resistance. They will offer to love, compliment, and protect the child, but their motives are not altruistic! (See www.ChildLures.com for tricks that child molesters use.)
2. GROOMING: Once the suspect establishes a relationship with his intended victim, he begins to break down the physical boundaries of touch. The offender will start with mild forms of touching, like hugging, wrestling, tickling, messaging, lap-nap (foreplay for the sex offender).
3. ASSAULT: The offender's intent is to eventually use the child-victim's body to sexually stimulate themselves. Very rarely will the offender hurt the child, because children are taught to report when someone hurts them.
4. CONCEALMENT: In order to continue the sexual abuse of the child-victim, the offender must manipulate the victim into not revealing the molestation that is occurring. This operates along a continuum: "it's normal," "it's our secret," "I don't want you to get in trouble," "you'll be put in a home," "police will take your dog" – at first the child-victim is confused into internalizing guilt, but the offender will progress into the use of threats in order to control the child-victim.
5. RECONSTITUTION: The offender will try to build character defenses in order to deflect suspicion of their sexual deviant behavior. Often they will develop non-sexual relationships with other children as a cover, in case they are accused.

The biggest mistake police make in child abuse investigations is failing to look for and document corroborative evidence. In order to find this corroborative evidence, police need to understand how child molesters commit their crimes. Judges and juries want to know the "why did it take so long to discover" and "how did the suspect commit his crimes without being detected." Understanding the above phases will assist police when they interview the victim and suspect.

But the key to solving any child abuse crime is, first and foremost, protecting the child. Only when the child feels protected from the offender will they open up to the investigator. Remember not to ask the child-victim "why" questions, they don't understand why the world has been so cruel to them, and can't answer such questions. Never accuse the child of lying. And try to avoid victim retraumatization – forcing the victim to retell their abuse over and over.

When questioning the suspect-offender, keep in mind that they don't want to be publicly known as a child molester. This is why many offenders feel compelled to take a polygraph, even though they obviously don't want to. But don't shut down your interview by using words like "molester" or "rapist" – labels that will force the offender into denial. Their own shame and fear of accountability is why repeat offenders will often prey on younger and younger victims, because it is easier to cover-up.

Sources: D/Sgt. Geoffrey Flohr, Michigan State Police; Robert Emerick, *The Assault Process.*

INVESTIGATIVE TOOL FOR POLICE OFFICERS AND CHILD-PROTECTION PROFESSIONALS

Child Molesters: A Behavioral Analysis — Authored by Kenneth V. Lanning and produced in cooperation with the FBI, the fourth edition of this book is an investigative tool for law-enforcement officers and child-protection professionals handling cases of children who are sexually exploited. It provides investigative strategies, the characteristics of a pedophile, and the difficulties often encountered in cases of sexual exploitation. It introduces a typology that places sex offenders on a continuum, from preferential to situational.

This manual and others can be downloaded for free, at the website of the National Center for Missing & Exploited Children, www.missingkids.com.

Child pornography remains the number one computer crime, and the possession of child pornography is a crime typical of child molesters. USB Memory Key storage devices are the latest way for offenders to carry and conceal these illicit photos. Keep in mind that you will probably need a search warrant before opening a USB Memory Key to check its contents.

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LEARN MORE ABOUT DNA EVIDENCE

DNA as evidence can be collected from virtually anywhere. DNA has helped solve many cases when imaginative investigators collected evidence from nontraditional sources. One murder was solved when the suspect's DNA matched the DNA swabbed from a bite mark on the victim. A masked rapist was convicted of forced oral copulation when his victim's DNA matched the DNA swabbed from the suspect's penis 6 hours after the offense. Much more information regarding DNA evidence can be found at the National Criminal Justice Reference Service www.ncjrs.org.

Remember: "DNA doesn't replace good detective work; it just adds a level of sophistication and the ability to answer very central questions in an investigation." – Greg LaBerge, Denver Police Forensic Scientist

PANDEMIC: Police Response to a Super-Virus or Bioterror

Food must be delivered to people quarantined for SARS exposure.

The April 2005 edition of Police Chief Magazine, www.policechiefmagazine.org, has an after-action report about the lessons learned by Toronto Police in response to the 2003 SARS outbreak, written by By Julian Fantino, Commissioner, Emergency Management, Province of Ontario, and Former Chief of Police, Toronto Police Service, Canada.

There is also a detailed government report available online, "City of Toronto Department of Public Health, Learning from SARS: Recommendations for Emergency Preparedness, Response, and Recovery (September 2004): 4," http://www.toronto.ca/legdocs/2004/agendas/committees/hl/hl041018/it003.pdf.

According to Fantino, the SARS outbreak put the city's emergency systems and emergency workers to the test in many ways. On March 26, 2003, the premier of Ontario issued a provincial declaration of emergency in accordance with the provincial Emergency Management Act. This was the first time in its history the province had declared a medical emergency.

A "SARS Executive Group" was created, which included a Police Command Center. The command center became operational on March 27, and for the next several weeks, during the height of the SARS emergency, it operated 24 hours a day, seven days a week. It operated under the incident management system command structure that is used in many jurisdictions across North America, and its main purposes were as follows:

- To deal with threats to the police officers (the biggest of which was contamination)
- To support field units in the maintenance of normal police operations
- To acquire and disseminate information about the crisis and appropriate responses to it
- To capture and record all information relevant to the event, both to respond to the crisis and to use in debriefing exercises after its conclusion

Police command stayed in close contact with the Health Department Operations Center. The Health Department was instrumental in obtaining needed safety equipment for police personnel, particularly the N95 surgical masks needed to prevent the transfer of the SARS virus.

Contamination and quarantine were major issues. In spite of many documented high-risk contacts, not one officer contracted SARS through an occupational exposure. But suspected contamination required being quarantined, which meant the members were unavailable for duty. During the outbreak, if police officers responding to a 911 tiered response were not required, ambulance or fire service personnel would cancel the police before they arrived. This reduced the potential for SARS exposure and allowed police officers more time to perform core service functions.

In total, 307 sworn officers were quarantined for 10 days each during the months of the SARS outbreak. Fortunately, with more than 5,000 sworn members, this did not prevent the delivery of core policing service to the public.

A key objective was to reduce the risk of exposure and consequent quarantine through appropriate protective equipment and universal precautions, including frequent hand washing, N95 surgical masks, and antimicrobial gloves. Due to the unfamiliar nature of SARS, however, the threshold of "appropriate" protective equipment and procedures seemed to change almost daily.

Police were not the only ones who were expected to quarantine themselves during the SARS crisis. Members of the community -- and of other health-related and emergency service professions -- also found themselves at risk of contracting SARS and of spreading the disease to others. In the vast majority of cases, the people of Ontario were very responsible about SARS risks. But police, acting on behalf of the Health Department, were prepared to enforce quarantines.

A problem that became immediately obvious, there was no adequate tracking system available to trace high-risk exposures or activities. In the future, Toronto will use a computerized major case management tool to track exposed persons, those in quarantine, and those suspected of having SARS.

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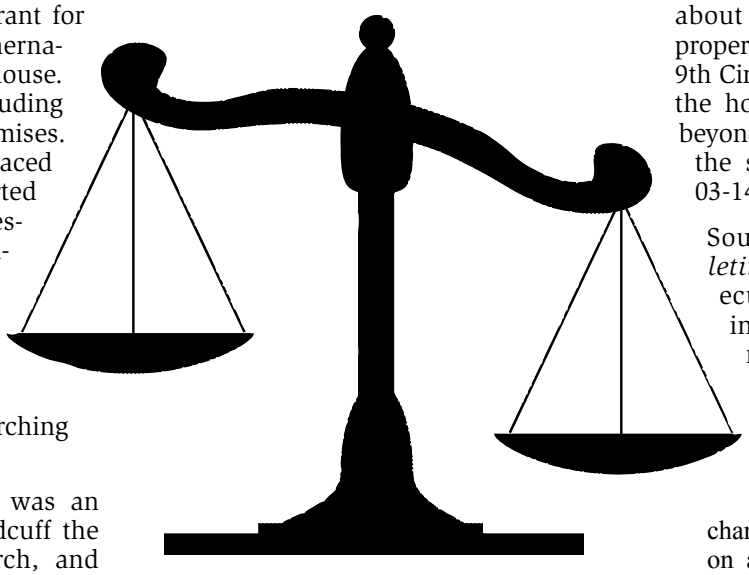
SEARCH AND SEIZURE
A Person May Be Handcuffed During A Search of Their Home.

The police had a search warrant for a weapon and gang paraphernalia in a known gang safe house. They found four people, including the homeowner, on the premises. They handcuffed them and placed them under guard in a converted garage. They were all questioned by an INS agent regarding their immigration status. A pistol, ammunition and a small amount of marijuana was found. No charges were filed against the homeowner, and she sued the searching officers under 42 USC 1983.



The 9th circuit held that it was an unreasonable seizure to handcuff the homeowner during the search, and that it was also improper to question her about her immigration status. The United States Supreme Court reversed.

The U.S. Supreme Court held that it was constitutionally permissible to use reasonable force to detain the homeowner during the search, and that the use of handcuffs was not unreasonable. They further held that mere police questioning does not constitute a seizure and, therefore, the questions about her immigration status were proper. They remanded the case to the 9th Circuit for a determination whether the homeowner's detention extended beyond the time necessary to complete the search. Muehler v Mena, No. 03-1423, March 22, 2005.

Source: The *"Police Law Bulletin,"* of the Michigan Prosecuting Attorneys Coordinating Council web site, www.michiganprosecutor.org. The MPACC reminds police to discuss their practices with their commanding officers, police legal advisors, and the prosecuting attorney, before changing any procedures in reliance on any reported court decision or legislative change.

VIDEO AVAILABLE –
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In the early stages of the crisis, police officers were deployed to hospitals to help ensure that only visitors and patients went through identified checkpoints and that everyone adhered to safety protocols. Jails and prisoners were also problems for contamination management.

The importance of volunteers during the crisis cannot be underestimated. Volunteers and auxiliary police officers supported quarantined people by delivering packages of essential equipment; such as masks, protective gloves, thermometers – and food.

One of the biggest lessons that those in law enforcement and other emergency services learned from SARS (and, of course, from the disaster of September 11, 2001) is the need for a coordinated and cooperative partnership among all agencies that could be affected or called upon to act during large-scale or significant crises, emergencies and disasters. Protocols for communication and cooperation can mean the difference between success and failure when crises occur.

The men and women of the Toronto Police Service responded well to the SARS emergency. But with any crisis of this magnitude, there is always a great deal to be learned. The reports mentioned in this article offer you an opportunity to learn from Toronto's experience.

Number of Copies Printed: 4,500 Total Cost: $677.10 Cost Per Copy: $0.15